

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on



April 26, 2004  
Date of Deposit

Adam D. Airhart - Reg. No. 51,387  
Name of Applicant, Assignee or  
Registered Representative

  
Signature

4-26-04

Date of Signature

Our Case No.: 11758/214

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

George J. Jost

Serial No.: 10/678,687

Filing Date: October 3, 2003

For: Overrun Braking System and  
Method

Examiner: Unknown

Group Art Unit No.: Unknown

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The references now cited are the following:

<b>No.</b>	<b>Date</b>	<b>Name</b>
300,468	6/17/1884	Haskell et al.
1,057,632	4/1/1913	Fraser
1,114,398	10/20/1914	Sloan
2,007,652	7/9/1935	Kocour
2,130,611	9/20/1938	Burdick
2,235,304	3/18/1941	Toussaint
2,552,625	5/15/1951	Filliung
2,635,691	4/21/1953	Filliung
3,008,682	11/14/1961	Filliung et al.
3,008,683	11/14/1961	Filliung et al.
3,011,751	12/5/1961	Delaney et al.
3,019,453	2/6/1962	Radcliffe
3,056,143	10/2/1962	Foster
3,202,396	8/24/1965	Delaney et al.
3,462,769	8/26/1969	Ichimoro et al.
3,695,288	10/3/1972	Billeter et al.
3,778,023	12/11/1973	Billeter
4,202,525	5/13/1980	Govaer et al.
4,235,414	11/25/1980	Lis
4,309,781	1/12/1982	Lissau
4,505,450	3/19/1985	Sarrem et al.
4,508,136	4/2/1985	Kah, Jr.
4,667,350	5/26/1987	Ikenaga et al.
4,671,485	7/24/1986	Saarem
4,742,583	5/10/1988	Yoshida et al.
4,793,588	12/29/1988	Lavery, Jr.
4,805,247	2/21/1989	Lavery, Jr.
4,817,913	4/4/1989	Whiteside
4,839,039	6/13/1989	Parson et al.
4,883,254	11/28/1989	Whiteside
4,886,207	12/12/1989	Lee et al.
4,891,864	1/9/1990	Lavery, Jr.
4,911,401	3/27/1990	Holcomb et al.
4,971,287	11/20/1990	Shaw
4,972,070	11/20/1990	Lavery, Jr.
4,989,277	2/5/1991	Tsutsui et al.
5,025,516	6/25/1991	Wilson
5,062,453	11/5/1991	Saadi et al.
5,063,955	11/12/1991	Sakakibara
5,125,621	6/30/1992	Parsons et al.
5,155,870	10/20/1992	Tsutsui et al.
5,169,118	12/8/1992	Whiteside
5,187,818	2/23/1993	Barrett, Sr. et al.
5,195,720	3/23/1993	Nortier
5,244,179	9/14/1993	Wilson
5,269,028	12/14/1993	Liso
5,295,655	3/22/1994	Wilson et al.
5,313,673	5/24/1994	Saadi et al.
D351,219	10/4/1994	Saadi et al.
5,415,374	5/16/1995	Carroll et al.

5,431,181	7/11/1995	Saadi et al.
5,476,244	12/19/1995	Carroll et al.
5,505,427	4/9/1996	Whiteside
5,680,879	10/28/1997	Muderlak et al.
5,730,415	3/24/1998	Gronwick
5,881,993	3/16/1999	Wilson et al.
5,887,848	3/30/1999	Wilson
6,056,261	5/2/2000	Aparicio et al.
6,105,926	8/22/2000	Oliver et al.
6,260,576	7/17/2001	Allen
6,299,127	10/9/2001	Wilson
6,349,921	2/16/2002	Jahrling
6,382,586	5/7/2002	Wilson et al.
6,408,873	6/25/2002	Hall et al.
PCT/US95/13199	4/10/1997	Muderlak
8411989	7/1/1997	Muderlak
11-512809	11/2/1997	Muderlak
8411990	12/10/1996	Muderlak
5-14272	2/23/1993	Nisioka et al.
3-58368	6/6/1991	Minamisawa
3-12973	2/8/1991	Kaneda
55-21385	2/12/1980	Ikenaga et al.
55-24389	8/8/1978	Matsunaga
38-24065	11/12/1963	Sugimoto

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

## **Concise Explanation of Non-English Language Art Pursuant to 37 CFR 1.98**

Applicant's previous Information Disclosure Statement listed three non-English language publications that did not include translations or a concise explanation of the relevance of the publications. Applicant currently resubmits these documents with the following explanation of relevance. Taiwanese publication number 84110989 and Japanese publication number 11-512809 are corresponding applications to PCT/US/13199, which was cited in the prior Information Disclosure Statement. The abstract for the PCT/US/13199 application states:

An automatic flush handle actuation apparatus includes an enclosure containing a drive mechanism and a self-contained power source for the drive mechanism. The apparatus also includes means for sensing use of the sanitary facility and means for interconnecting the drive mechanism and power source when the means for sensing detects a use of the sanitary facility. An adapter having first and second ends is included rigidly engaging the enclosure. A plunger pin slidably extends through the adapter engaging the drive mechanism within the enclosure at a first end. A threaded nut is provided around the adapter between the enclosure and a hub at an end of the adapter. The threaded nut, end of the adapter and an end of the plunger pin are constructed to work with the flush mechanism in a manner substantially identical to a manually activated flush handle.

Taiwanese Publication No. 84110990 discloses a similar device. However, the device disclosed in Taiwanese Publication No. 84110990 functions by actuating the handle. As a result, the handle does not need to be removed prior to attaching the flushing device.

Applicant respectfully requests that the listed documents be made of record in the present case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Airhart', is written over a horizontal line.

Adam D. Airhart  
Registration No. 51,387  
Attorney for Applicant

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FORM PTO-1449	SERIAL NO. 10/678,687	CASE NO. 11758/214
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE October 3, 2003	GROUP ART UNIT Unknown
(use several sheets if necessary)	APPLICANT(S): Jost	

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	300,468	6/17/1884	Haskell et al.		
	A2	1,057,632	4/1/1913	Fraser		
	A3	1,114,398	10/20/1914	Sloan		
	A4	2,007,652	7/9/1935	Kocour		
	A5	2,130,611	9/20/1938	Burdick		
	A6	2,235,304	3/18/1941	Toussaint		
	A7	2,552,625	5/15/1951	Filliung		
	A8	2,635,691	4/21/1953	Filliung		
	A9	3,008,682	11/14/1961	Filliung et al.		
	A10	3,008,683	11/14/1961	Filliung et al.		
	A11	3,011,751	12/5/1961	Delaney et al.		
	A12	3,019,453	2/6/1962	Radcliffe		
	A13	3,056,143	10/2/1962	Foster		
	A14	3,202,396	8/24/1965	Delaney et al.		
	A15	3,462,769	8/26/1969	Ichimoro et al.		
	A16	3,695,288	10/3/1972	Billeter et al.		
	A17	3,778,023	12/11/1973	Billeter		
	A18	4,202,525	5/13/1980	Govaer et al.		
	A19	4,235,414	11/25/1980	Lis		
	A20	4,309,781	1/12/1982	Lissau		
	A21	4,505,450	3/19/1985	Sarrem et al.		
	A22	4,508,136	4/2/1985	Kah, Jr.		
	A23	4,667,350	5/26/1987	Ikenaga et al.		
	A24	4,671,485	7/24/1986	Saarem		
	A25	4,742,583	5/10/1988	Yoshida et al.		
	A26	4,793,588	12/29/1988	Lavery, Jr.		
	A27	4,805,247	2/21/1989	Lavery, Jr.		
	A28	4,817,913	4/4/1989	Whiteside		
	A29	4,839,039	6/13/1989	Parson et al.		
	A30	4,883,254	11/28/1989	Whiteside		
	A31	4,886,207	12/12/1989	Lee et al.		
	A32	4,891,864	1/9/1990	Lavery, Jr.		
	A33	4,911,401	3/27/1990	Holcomb et al.		
	A34	4,971,287	11/20/1990	Shaw		
	A35	4,972,070	11/20/1990	Lavery, Jr.		
	A36	4,989,277	2/5/1991	Tsutsui et al.		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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(use several sheets if necessary)		APPLICANT(S): Jost

**REFERENCE DESIGNATION U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A37	5,025,516	6/25/1991	Wilson		
	A38	5,062,453	11/5/1991	Saadi et al.		
	A39	5,063,955	11/12/1991	Sakakibara		
	A40	5,125,621	6/30/1992	Parsons et al.		
	A41	5,155,870	10/20/1992	Tsutsui et al.		
	A42	5,169,118	12/8/1992	Whiteside		
	A43	5,187,818	2/23/1993	Barrett, Sr. et al.		
	A44	5,195,720	3/23/1993	Nortier		
	A45	5,244,179	9/14/1993	Wilson		
	A46	5,269,028	12/14/1993	Liso		
	A47	5,295,655	3/22/1994	Wilson et al.		
	A48	5,313,673	5/24/1994	Saadi et al.		
	A49	D351,219	10/4/1994	Saadi et al.		
	A50	5,415,374	5/16/1995	Carroll et al.		
	A51	5,431,181	7/11/1995	Saadi et al.		
	A52	5,476,244	12/19/1995	Carroll et al.		
	A53	5,505,427	4/9/1996	Whiteside		
	A54	5,680,879	10/28/1997	Muderlak et al.		
	A55	5,730,415	3/24/1998	Gronwick		
	A56	5,881,993	3/16/1999	Wilson et al.		
	A57	5,887,848	3/30/1999	Wilson		
	A58	6,056,261	5/2/2000	Aparicio et al.		
	A59	6,105,926	8/22/2000	Oliver et al.		
	A60	6,260,576	7/17/2001	Allen		
	A61	6,299,127	10/9/2001	Wilson		
	A62	6,349,921	2/16/2002	Jahrling		
	A63	6,382,586	5/7/2002	Wilson et al.		
	A64	6,408,873	6/25/2002	Hall et al.		

**REFERENCE DESIGNATION FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A65	38-24065	11/12/1963	Japan		
	A66	55-24389	8/8/1978	Japan		
	A67	55-21385	2/12/1980	Japan		
	A68	3-12973	2/8/1991	Japan		
	A69	3-58368	6/6/1991	Japan		
	A70	5-14272	2/23/1993	Japan		

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## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A71	8411990	12/10/1996	Taiwan		
	A72	PCT/US95/13199	4/10/1997	PCT		
	A73	8411989	7/1/1997	Taiwan		
	A74	11-512809	11/2/1999	Japan		

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